



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste – Licensing and Engineering Branch

BWP HW 09 Facility Modification-Class 1

BWP HW 10 Facility Modification-Class 2

BWP HW 11 Facility Modification-Class 3

Instructions and Supporting Materials

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- application forms

Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at mass.gov/dep in two file formats: Microsoft Word and Adobe Acrobat PDF. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word format must be downloaded separately. Users with Microsoft Word 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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Permit Fact Sheet

How to Apply:

1. What is the purpose of these permits?

These permits authorize and set conditions for modifications to existing permits to treat, store or dispose of hazardous waste. There are three classes of permit modifications. Class I modifications are minor changes, Class II's are more involved, while Class III's are major operational changes.

More substantial modifications are subject to greater permit review to evaluate more fully the potential effects on public health and the environment.

Legislative authority for these permits is stated in MGL Chapter 21C, sections 4 and 6. Regulatory authority is found at 310 CMR 30.852 of the Hazardous Waste Management Regulations.

2. Who must apply?

Any treatment, storage or disposal facility (TSDF) which:

- has to change its operations as a result of new regulations, or;
- has minor changes in personnel or in hazardous waste plans, or;
- wishes to offer expanded services or close existing services;

needs to apply for a Class I, II or III permit, as applicable.

Table 310 CMR 30.852 of the Hazardous Waste Management Regulations lists the various types of proposed changes by class.

3. What other requirements should be considered when applying for these permits?

a. Prerequisites.

The applicant must already have a TSDF permit from DEP to apply for a permit modification. The permitting process has public notice requirements and the applicant must meet with DEP staff prior to submitting an application in order to coordinate public notice. The Class III modifications, in particular, may be subject to other statutes or regulations.

b. Concurrent Applications.

Some of the permit modifications will need to be jointly reviewed by DEP and the United States Environmental Protection Agency. Contact the Hazardous Waste Licensing Branch for more information.

c. Additional Information.

All additional information as defined in the Application Completeness checklist included in this application package must be submitted as required with the Transmittal Form in order for the application to be properly processed.



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Note: Permits of this type may require MEPA review. Please carefully examine 301 CMR 11.00, the MEPA Regulations, to determine if your project exceeds the MEPA review thresholds, or for more information contact the MEPA Unit of the Executive Office of Environmental Affairs (100 Cambridge Street, Boston, MA 02202; (617-727-5830). ***DEP cannot begin technical review of the permit application until the MEPA process has been completed, unless otherwise agreed to in writing.*** Copies of MEPA filings (with reference to any applicable Transmittal numbers) should be sent to the appropriate program offices in Boston and the MEPA Coordinator in the appropriate Regional Office.

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

4. What is the application fee?

BWP HW 09 (Class I)	There is no application fee for Class I modifications that do not require prior written approval. For those applications that do require prior written approval, there is an application fee of \$175. See Table 310 CMR 30.852, Classifications of License Modifications, to determine which Class I Modifications require prior DEP approval. This table is found in the Hazardous Waste Regulations.
BWP HW 10 (Class II)	\$10,195.
BWP HW 11 (Class III)	Class III modifications are individual rule projects. DEP and the applicant negotiate the application fee and permit review timelines in accordance with 310 CMR 4.05.

5. What is the Primary Permit Location?

Primary Permit Location:
(original and one copy)
Department of Environmental Protection
Division of Hazardous Waste
One Winter Street
Boston, MA 02108

one copy to EPA Region I, if applicable

What is the Reserve Copy Location?

Reserve Copy Location:
None

6. What are the timelines?

BWP HW 09 Class I	AC 30	T1 60	T2* 30	PC n/a
BWP HW 10 Class II	AC n/a	T1** 120	T2 n/a	PC n/a

BWP HW 11
Class III Individual rule project subject to negotiation (see 310 CMR 4.05).

*A second technical review will be required only if necessary.

**Public notice required



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7. What is the annual compliance fee?

Current annual compliance fees can be found on the DEP Website at www.mass.gov/dep/files/permits/fees.htm. If you fail to pay the annual compliance fee, your permit could be suspended or revoked.

8. How long are these permits in effect?

These permit modifications are in effect for the remainder of the 5-year life of the TSDf permit.

9. How can I avoid the most common mistakes made in applying for these permits?

- a. The applicant should be sure to obtain an up-to-date edition of the Hazardous Waste Management Regulations (310 CMR 30.000). The provisions governing permit modifications (310 CMR 30.852) should be reviewed carefully.
- b. The applicant should request an informational meeting with DEP's Licensing and Engineering Branch in Boston **before the applicant begins to prepare the application. (Call 617-292-5853 to set up the meeting).** That meeting will help ensure that the proposed modification is properly classified and that the applicant receives clear guidance on the application process, including the public notice requirements.
- c. Submit fee and **one** page of the DEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to these permits?

Where can I get copies?

These regulations include, but are not limited to:

- a. Hazardous Waste Management Regulations, 310 CMR 30.000.
- b. Timely Action and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State House West Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376



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Application Completeness Checklist

- ☐ The DEP Transmittal Form is completed.
- ☐ The applicant has contacted DEP and requested an informational meeting.
- ☐ The TSD Facility Modification Summary has been completed.
- ☐ All of the required attachments have been prepared and submitted with the TSD Facility Modification Summary.
- ☐ The Application Certification Statement (at the bottom of the Facility Modification Summary) has been signed by a person authorized to do so.
- ☐ If applicable, one copy of the application and attachments has been submitted to the United States Environmental Protection Agency.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send **two** copies of the application along with **one** page from the DEP Transmittal Form to:

Department of Environmental Protection
Hazardous Waste
1 Winter Street
Boston, MA 02108

- ☐ Send fee of:
\$175 for BWP HW 09 (Class I), if a prior written approval is required. Otherwise, there is no fee; \$10,195 for BWP HW 10 (Class II); the negotiated amount for BWP HW 11 (Class III); in the form of a check or money order made payable to **Commonwealth of Massachusetts**, along with **one** page from the DEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection

Addresses and Phone Numbers

DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

Millbury Training Center
Route 20 Millbury, MA 01527
Telephone: (508) 368-5600
Fax: (508) 755-9253
Residuals Sludge Management
Telephone: (508) 368-5606
WWT Operator Certification
Telephone: (508) 368-5698

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149



Adams
Agawam
Alford
Amherst
Ashfield
Becket
Belchertown
Bernardston
Blandford
Brimfield
Buckland
Charlemont
Cheshire
Chester
Chesterfield
Chicopee
Clarksburg

Colrain
Conway
Cummington
Dalton
Deerfield
Easthampton
East Longmeadow
Egremont
Erving
Florida
Gill
Goshen
Granby
Granville
Great Barrington
Greenfield
Hadley

Hampden
Hancock
Hatfield
Hawley
Heath
Hinsdale
Holland
Holyoke
Huntington
Lanesborough
Lee
Lenox
Leverett
Leyden
Longmeadow
Ludlow
Middlefield

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Montague
Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
Orange
Otis
Palmer
Pelham
Peru

Pittsfield
Plainfield
Richmond
Rowe
Russell
Sandisfield
Savoy
Sheffield
Shelburne
Shutesbury
Southampton
South Hadley
Southwick
Springfield
Stockbridge
Sunderland
Tolland

Tyringham
Wales
Ware
Warwick
Washington
Wendell
Westfield
Westhampton
West Springfield
West Stockbridge
Whately
Wilbraham
Williamsburg
Williamstown
Windsor
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DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: (508) 792-7650
Fax: (508) 792-7621
TDD: (508) 767-2788



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Hudson
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Leicester
Leominster
Littleton
Lunenburg
Marlborough
Maynard
Medway
Mendon
Milford

Millbury
Millville
New Braintree
Northborough
Northbridge
North Brookfield
Oakham
Oxford
Paxton
Pepperell
Petersham
Phillipston
Princeton
Royalston

Rutland
Shirley
Shrewsbury
Southborough
Southbridge
Spencer
Sterling
Stow
Sturbridge
Sutton
Templeton
Townsend
Tyngsborough
Upton

Uxbridge
Warren
Webster
Westborough
West Boylston
West Brookfield
Westford
Westminster
Winchendon
Worcester

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: (508) 946-2700
Fax: (508) 947-6557
TDD: (508) 946-2795



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Fairhaven
Fall River
Falmouth
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Gosnold
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Lakeville
Mansfield
Marion
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Middleborough
Nantucket
New Bedford
North Attleborough
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Scituate
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Sharon
Somerset
Stoughton
Swansea
Taunton

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Truro
Wareham
Wellfleet
West Bridgewater
Westport
West Tisbury
Whitman
Wrentham
Yarmouth

DEP Northeast Region
1 Winter Street
Boston, MA 02108
Phone: (978) 661-7600
Fax: (978) 661-7615
TDD: (978) 661-7679



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Topsfield

Wakefield
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Watertown
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Transmittal Number #

Facility ID (if known)

TSD Facility Modification Summary

A. Facility Information

Important:
When filling out
forms on the
computer, use
only the tab key
to move your
cursor - do not
use the return
key.



Name of Facility

EPA Identification Number

B. Summary of Proposed License Modification

1. Specify the modification class being applied for:

☐ Class 1

☐ Class 2

☐ Class 3

2. State the section, subsection, and description of the modification as set forth in Table 310 CMR 30.382. If the modification is not listed in the table, briefly describe the proposed modification.

C. Modification Plans

All plans for modification must include the following:

☐ A description of the change to be made to license conditions or supporting documents referenced by the license.

☐ An explanation of why the modification is necessary.

☐ All information required by 310 CMR 30.801 through 30.804.

D. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment.

Print Name

Authorized Signature

Position/Title

Date